

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Revision of the Commission's Rules to	)	CC Docket No. 94-102
Ensure Compatibility With Enhanced 911	)	
Emergency Calling Systems	)	
	)	
Amendment of Parts 2 and 25 to Implement	)	
the Global Mobile Personal Communications	)	
by Satellite (GMPCS) Memorandum of	)	IB Docket No. 99-67
Understanding and Arrangements; Petition of	)	
the National Telecommunications and	)	
Information Administration to Amend Part 25	)	
of the Commission's Rules to Establish	)	
Emissions Limits for Mobile and Portable	)	
Earth Stations Operating in the 1610-1660.5	)	
MHz Band	)	

**REPLY COMMENTS OF ACUTA**

ACUTA, Inc.: The Association for Communications Technology Professionals in Higher Education ("ACUTA") respectfully submits these reply comments in response to the Federal Communications Commission's ("FCC's" or "Commission's") *Further Notice of Proposed Rulemaking* in the above-captioned proceedings and the comments filed on February 18, 2003.

In its comments, ACUTA outlined several principles that should guide the Commission's action: (1) adopt a flexible approach that allows for continued use of campus police departments; (2) encourage the development of E911-compliant VoIP systems; (3) work with the wireless industry to ensure E911 compliance; (4) allow for the grandfathered use of older multi-line telephone systems; and (5) provide for additional time for non-profit and small organizations to comply.

Many commenters paid particular attention to the NENA Model Legislation.<sup>1</sup> To the extent the Commission chooses to use the Model Legislation as a framework for its reforms, ACUTA provides comments applying the foregoing principles to the relevant provisions of the Model Legislation.

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<sup>1</sup> *MLTS Proposal of NENA and APCO*, CC Docket 94-102 (filed Jul. 24, 2001).

## **Flexibility to Provide Campus Security and Public Safety Function**

ACUTA is encouraged that NENA provides for alternative public safety answer points (PSAPs) in its proposal. Specifically, NENA's legislation permits the use of "alternative methods to support enhanced 9-1-1," which include "private 9-1-1 answering points." It is vital that any reform does not circumscribe campus administrators' ability to provide for the most effective and efficient campus police and safety operations.

As described in detail in ACUTA's original comments, campus safety operations vary considerably depending upon institutions' size, structure, and budget. Some rely on public PSAPs, others rely on certified private PSAPs, and still others make use of non-certified private PSAPs. An ACUTA survey revealed that over a third of campus telephone systems supply E911 information to a non-certified internal campus safety office.

If the Commission does not provide the requisite level of flexibility, the Commission's reforms may have the perverse effect of actually reducing the quality and effectiveness of campus safety operations. Any reform must acknowledge that life safety is significantly enhanced by the ability of campus police and security officials to respond appropriately to an emergency situation. To that end, colleges and universities must be free to make use of public PSAPs, private PSAPs, or a combination of private and public PSAPs. In addition, ACUTA members should be free to use an internal campus safety identifier (other than 911) for access to the campus safety department.

## **Flexibility to Invest in New Systems Under Budget Constraints**

NENA sets out a timetable for its reforms in Section 13 of the Model Legislation. Specifically, two years after the effective date, all new multi-line telephone systems would have to be E911-compliant, and all systems would have to be compliant within seven years. ACUTA generally consents to NENA's schedule, but advocates the adoption of a waiver process (similar to the process provided for in Section 12 of the Model Legislation). A waiver may be necessary due to the unique circumstances faced by some institutions (or the failure of a particular LEC or manufacturer to provide necessary support), which may prevent full compliance within the seven-year timetable. It is, however, unclear from the Model Legislation how the waiver process would work. NENA suggests that a fire marshal could rule on waiver requests, but there is only limited discussion of the waiver process or standards. Further examination of the details of a waiver process is warranted prior to Commission action.

## **Flexibility to Invest in New Technologies**

NENA provides for an exemption for wireless and VoIP devices, which are incorporated into a multi-line telephone system, until two years after the Commission adopts specific E911 rules for those technologies. ACUTA is encouraged that NENA recognizes the limited availability of E911-compliant wireless and VoIP devices.

The Commission should refrain from creating mandates that are not technologically viable at this time. As NEC America warned "the Commission should

avoid imposing E911 obligations where no evidence has been provided indicating that the requirement can be satisfied with existing and available technology.”<sup>2</sup> Nonetheless, as ACUTA members adopt greater use of such technologies, ACUTA hopes that the FCC will exert its influence over manufactures and carriers to speed the rollout of compliant wireless and VoIP services.

## **Conclusion**

ACUTA looks forward to working with the Commission, the public safety community, and manufacturers in crafting workable new solutions and reforms that maximize the benefit of E911 solutions for colleges and universities.

On Behalf of ACUTA: The Association  
for Communications Technology  
Professionals in Higher Education

Jeanne Jansenius  
President

March 25, 2003

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<sup>2</sup> *NEC America* at 3.